AGAINST—15.

1 Mr. S. Adam Sait	9 Mr. H. O. L. Marikar
2 ,, Kochikal P. Balakrishnan Tampi	10 ,, R. Nilakanta Pillai
3 ,, C. V. Chandrasekharan	11 ,, Kayalam Paramesvaran Pillai
4 ,, K. George	12 ,, R. Pitchu Aiyangar
5 ,, M. Govinda Pillai	13 ,, T. C. Thommen
6 ,, William Foster Inman	14 ,, G. B. E. Truscott
7 ,, K. N. Kesava Pillai	15 ,, Hajee Hassan Yacoob Sait
8 ,, C. O. Madhavan	

NEUTRAL—1.

1 Mr. G. Narayana Aiyar

President: The result of the counting is, for the amendment 19, against 15, and neutral 1. The amendment is carried.

The question is that Clause 6, as amended by the House, do form part of the Bill.

The motion was put to vote and carried and the Clause was added to the Bill.

The question whether Clauses 7, 8, 9, 10, 11, 12, 13, 14 and 15 do form part of the Bill was put to vote and carried.

The question whether the Preamble shall form part of the Bill was put to vote and carried.

The question that the Title shall form part of the Bill was put to vote and carried.

Mr Kayalam Paramesvaran Pillai: I think, Sir, if the House has no objection to the third reading of the Bill, I shall move that the Bill as amended be passed.

President: After the victory they have had, perhaps they will have no objection.

No objection was raised.

Mr. Kayalam Paramesvaran Pillai: Sir, I beg to move that the Bill as amended be passed.

Mr. M. Govinda Pillai: I second it.

President: The motion before the House is that the Travancore Mechanical Lighters (Excise Duty) Bill as amended by the House be passed.

The motion was put and carried and the Bill was passed.

THE TRAVANCORE VILLAGE PANCHAYAT REGULATION (AMENDMENT) BILL.

Mr. Kayalam Paramesvaran Pillai: Sir, I beg to move that the Travancore Village Panchayat Regulation (Amendment) Bill, as passed by the Sri Mulam Assembly, be taken into

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consideration. Sir, the object of the Bill is this. There is at present no provision in the Village Panchayat Regulation to empower the Government to remove any member of the Panchayat who unreasonably absents himself from meetings of the Panchayat for more than three consecutive months. There is a provision in the Municipal Regulation that if any Councillor absents himself from meetings of the Council for three consecutive months he may be removed by the Government. There is no corresponding provision in the Village Panchayat Regulation and it is considered advantageous to have such a provision. Hence this Bill has been proposed.

Mr. M. Govinda Pillai: I second it.

President: Moved and seconded that the Travancore Village Panchayat Regulation (Amendment) Bill, as passed by the Sri Mulam Assembly, be taken into consideration. The motion was put to the vote and carried.

Clause 1.

President: The question is that Clause 1 shall form part of the Bill.

The motion was put to vote and carried. Clause 1 was added to the Bill.

Clause 2.

Mr. K. P. Nilakanta Pillai: Sir, I move that the words "Consecutive months from the" occurring in the proposed Clause (2) be omitted. Sir, the object of the present Clause is to make the working of the Village Panchayats more efficient. Probably, the appointing authorities who select the Magistrates and Judges of these Village Panchayat Courts do not know or do not care to know what exactly is taking place in these courts.

Mr. Kayalam Paramesvaran Pillai: The Bill is not about the Village Panchayat Courts. It is to amend Regulation VII of 1100 relating to the Village Panchayats.

Mr. K. P. Nilakanta Pillai: I am speaking of that Regulation. On account of the absence of members, it has become impossible to transact any business in these Panchayats. Therefore, my amendment does not go just opposite to the Clause proposed by the learned Law Member. He says that three months' consecutive absence may be considered sufficient reason to remove any member, but I say if members are consecutively absent for three meetings that must be considered sufficient reason. What is intended by this new Clause may better be achieved by accepting my amendment. It would be seen, therefore, that I do not take an opposite view from the learned Law Member. On the other hand, the amendment proposed by me will make the working of the Panchayats more efficient than what is sought to be made by the

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[Mr. K. P. Nilakanta Pillai.]

addition of the new Clause introduced by the amendment Bill. My humble view is that this amendment is more reasonable and all the reasons which can be found in support of the proposed Clause would be equally applicable to my amendment also.

President: The honourable member would see the difficulty if the word consecutive is omitted. According to him the wording will be "for more than three meetings of the Panchayat". Three meetings may be held in the course of a whole year or during the whole period of tenure of office of the member.

Mr. K. P. Nilakanta Pillai: It ought to be three consecutive meetings.

Mr. E. P. Varghese: I support the amendment.

Mr. Kayalam Paramesvaran Pillai: Sir, I rise to oppose the amendment. To provide that if a member absents himself for three consecutive meetings he may be removed, will be too drastic a step against the member. There may be special meetings or ordinary meetings numbering three or more held say within seven days. If a member is laid up with influenza or.....

President: Or malaria!

Mr. K. P. Nilakanta Pillai: May I draw the attention of the member to the former part of the Clause wherein it is said that if the member absents without "*reasonable cause*".

Mr. Kayalam Paramesvaran Pillai: Yes. But if for seven days he was laid up and if three meetings are held in this interval he may have to be removed if the amendment is accepted. It may be that the member may plead illness. But Government will have to consider the merit of it and will have to decide whether the member should be removed or not. And it should be noted that Government would have the absolute discretion to decide whether the excuse alleged is reasonable or not. Simply because he happened to be absent from the Panchayat meetings for a short period of, say, seven days and if within those days three meetings had taken place, is it right to remove him, or to subject him to the risk of removal?

Mr. K. P. Nilakanta Pillai: If three meetings occur during the course of a week is it not the duty of the member to inform the Panchayat that he is not well and would not be able to attend office?

Mr. Kayalam Paramesvaran Pillai: None-the-less Government may remove him. And the Government may act rightly or wrongly, say upon the report of the President of the Panchayat.

Mr. K. P. Nilakanta Pillai: What is the presumption that Government will do always right?

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Mr. Kayalam Paramesvaran Pillai: Government always do right. But Government act on the information supplied by the President of the Panchayat. The President may say that although the member was ill he was not convinced of the fact. He may report that the member was unreasonably absent and therefore should be removed. Are the Government going to make a further enquiry into the matter? Ordinarily, no. It is for the House to consider the serious risk that a member will be placed under, if the amendment is accepted.

Mr. K. P. Nilakanta Pillai: Cannot the same argument hold good for the three months' period?

Mr. Kayalam Paramesvaran Pillai: Yes. But three months is a sufficiently long period. In the Municipal Regulation the same period is fixed.

Mr. K. P. Nilakanta Pillai: According to the proposed amendment Bill, if a member is present for a meeting on the first of a month he can be absent for three months. Therefore does it not take away what the mover has in mind?

Mr. Kayalam Paramesvaran Pillai: If the absence is for more than three months Government will enquire whether it was for a reasonable cause. Government will be very glad if every member will attend every meeting. But human weaknesses cannot be overlooked.

Mr. E. P. Varghese: Is there dearth of applicants for membership in the Village Pamchayat?

Mr. Kayalam Paramesvaran Pillai: I believe the majority of the members are elected. And if an elected member is absent for a short while, is it the desire of the House that Government should make an enquiry and remove him from the Panchayat; Governmet will be prepared to act up to it and will act rightly but I am only pointing out the grave risk to which the Panchayat members will be subjected to by the acceptance of this amendment.

President: Moved and seconded that in Clause 2, the words "consecutive months from the" be omitted.

The amendment was put to the vote and lost.

Mr. K. P. Nilakanta Pillai: Sir, I demand a poll.

AYES—17.

1 Mr. S. Adam Sait.
2 „ V. S. Arumukham Pillai
3 „ K. Madhavan Pillai
4 „ M. P. Madhavan Pillai
5 „ G. Narayana Aiyar
6 „ M. N. Narayana Menon
7 „ K. P. Nilakanta Pillai
8 „ K. Padmanabha Panickar
9 Mr. N. K. Padmanabha Pillai
10 „ P. Padmanabhan Tampi
11 „ M. N. Paramesvaran Pillai
12 „ S. Piraviperumal Pillai
13 „ K. Rama Varma Raja
14 „ Konilezhathu Sankaran
15 „ E. P. Varghese
16 „ A. N. Visvanatha Pillai
17 „ Hajee Hassan Yacoob Sait

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NOES—18.

1 Mr. Kochikal P. Balakrishnan Tampi	10 Mr. C. O. Madhavan
2 „ C. V. Chandrasekharan	11 „ H. O. L. Marikar
3 „ K. George	12 „ R. Nilakanta Pillai
4 „ M. Govindan	13 „ Kayalam Paramesvaran Pillai
5 „ M. Govindan Pillai	14 „ R. Pichu Aiyangar
6 „ William Foster Inman	15 „ N. Ramakrishna Pillai
7 „ C. M. Joseph	16 „ K. Sankaralingam Pillai
8 „ K. N. Kesavan Namputiripad	17 „ T. C. Thommen
9 „ K. N. Kesava Pillai	18 „ G. B. E. Truscott

NEUTRALS—NIL.

President: For the motion 17, against 18, and neutral nil The amendment is, therefore, lost.

The question, now, is that Clause 2 shall form part of the Bill.

The motion was put to vote and carried.

The questions, that the Title and Preamble do form parts of the Bill, were, then, put to vote and carried.

The Title and the Preamble, were added to the Bill.

Mr. Kayalam Paramesvaran Pilial: There has been no amendment to the Bill and I beg to move that the Bill be passed.

Mr. M. Govinda Pillai: I second it.

President: The question is that the Bill be passed. The motion was put and carried and the Bill was passed.

THE TRAVANCORE REGISTRATION REGULATION (AMENDMENT) BILL.

Mr. Kayalam Paramesvaran Pillai: Sir, I beg to move that the Travancore Registration Regulation (Amendment) Bill, as passed by the Sri Mulam Assembly, be taken up for consideration.

The Bill seeks to amend Section 15 of the present Regulation which provides for the registration of titles to land created by courts or by transactions effected through courts. The present Section 15 runs as follows:—

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